

DAVID BOREN
OKLAHOMA

RUSSELL BUILDING
WASHINGTON, DC 20510

621 NORTH ROBINSON
OKLAHOMA CITY, OK 73102

409 S. BOSTON
TULSA, OK 74103

211 EAST OAK
SEMINOLE, OK 74868

EX PARTE OR LATE FILED

United States Senate

WASHINGTON, DC 20510-3601

February 26, 1993

DOCKET FILE COPY ORIGINAL RECEIVED

SENATE CHAIRMAN
JOINT COMMITTEE ON
THE ORGANIZATION OF CONGRESS

MEMBER, JOINT COMMITTEE
ON TAXATION
MEMBER, COMMITTEE ON FINANCE

CHAIRMAN, SUBCOMMITTEE ON
TAXATION

MEMBER, COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY

CHAIRMAN, SUBCOMMITTEE ON
AGRICULTURAL TRADE

Ms. Linda S. Solheim
Director
Office of Legislative Affairs
Federal Communications Commission
1919 M Street, N.W. #808
Washington, D.C. 20554

MAR 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Solheim:

I recently received a letter from one of my constituents expressing concern about PR Docket 92-235. I respectfully request that this letter be given full consideration; however, no response to my office is necessary. I am enclosing a copy for the record.

Sincerely,



David L. Boren
United States Senator

DLB/mcp
Enclosure

(5) Letters attached

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MAR - 8 1993

SENATOR BUREN
WASHINGTON, DC
00 FEB 16 PM 5:12

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Senator Buren

I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes. I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC).

The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the aircraft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

James A. Dummett, Jr.
2423 NW 31
OKC, OK 73112

EX PARTE OR LATE FILED

SENATOR BOREN
WASHINGTON, D.C.

00 FEB 16 PM 2:13

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MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Honorable David L. Boren
United States Senate
Washington, DC 20510

From: Donald Loeliger
6320 NW 85th
Oklahoma City, OK 73132

Subject: PR DOCKET 92-235

Dear sir,

I have built and flown radio control model aircraft for more than forty years and have gotten a lot of enjoyment from my hobby. I have invested more money than I would care to admit in tools, engines, kit and various hardware to build models.

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR DOCKET 92-235. If adopted, the new rule will create an extremely hazardous environment (radio frequency interference) in which to operate model aircraft and will seriously compromise safety.

Our radio-control frequencies are in the 72-76 Mhz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making (NPRM) in PR DOCKET 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping a 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of the safety precautions involve the careful coordination and use of the radio control frequencies.

I don't think it is wise of the FCC to seek to expand the operation condition of land mobile users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a sizable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people like myself.

Please help me continue the safe enjoyment of my hobby by not allowing the FCC to carry out its proposal PR DOCKET 92-235 for the 72-76 MHz bands. We all need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,

Donald Loeliger

EX PARTE OR LATE FILED

Federal Communications Commission
1919M Street, NW
Washington, DC 20554

SENATOR BOREN
WASHINGTON, D.C.

00 FEB 15 PM 2:00
RECEIVED

Gentlemen,

MAR - 8 1993

Recently I was notified the FCC is considering an action that will severely endanger a hobby that is very important to me and the members of the radio control flying club that I belong to called the Tulsa Gluedobbers. You see, we fly radio controlled (RC) aircraft.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Recently you made notice of a rule change that will have a dramatic impact on our hobby if enacted. That notice being issued is your Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of your rules with Part 88. Part 90 allows for safe operation of aircraft and surface models by keeping 10 Khz spacing between fixed commercial user and frequencies used by all citizens that enjoy the various radio controlled hobbies. The new part 88 will allow mobile users of frequencies within 2.5 Khz of frequencies available to us, eliminating the safe use of at least 31 of the 50 channels on the 72 Mhz band and 10 of the 30 frequencies on the 75 Mhz band now used by hobbyist such as myself. In actuality I understand that virtually all channels can be effected.

The passing of this proposal will have a drastic impact upon myself and the entire R/C hobby industry. If put into effect this proposal will allow commercial mobile users to "shoot down" my aircraft thereby endangering the personal safety of myself and those around me. Also put at risk will be personal and private property within a several mile radius because aircraft have been known to fly quite a distance before crashing. You and your family could be affected by one of those runaway aircraft if interference caused by commercial users interrupted the signals transmitted to these aircraft. This would result in the loss of my personal property (several hundred dollars per aircraft) and possibly loss of life and limb.

I have been involved in this hobby for 10 years and own 7 radios and about a dozen aircraft, of which I have more than 10,000.00 invested. When you consider there are several hundred thousand others like myself in this hobby the proposed rule changes will severely detract from the quality of life for a lot of people both economically and in terms of enjoyment.

In sincerly urge you to reconsider the rule change. Please keep 10 Khz spacing between all frequencies on 75 Mhz and 72 Mhz so all R/C enthusiasts may continue to enjoy

our hobby. Please don't eliminate this hobby that in the last thirty years has been growing each and every year. Hundreds of thousands of people are supported financially by our hobby, so again, please do not eliminate their jobs and the enjoyment we all get by participating in this hobby nationwide.

Please note that both the AMA (Academy of Model Aeronautics) and the SFA (Sport Flyer Association) have gone to a great lengths to maintain one of the best safety records of any sport or hobby. The use of interference free frequencies ensures this safety. Many of our models fly in excess of 80 Mph and can weigh up to 55 pounds with wing spans of up to 13 feet. Again if the radio controlled plane were to be interfered with while flying it would turn into an uncontrolled projectile, capable of causing property damage and personal injury.

A response from your office as to how you voted on this proposal is requested.

Thank you for your consideration.

Brian W. Jacobs

14259 East 37th Place
Tulsa, Oklahoma 74134

cc:

Senator Don Nickles
713 Hart
Washington, DC 20510

Senator David Boren
U. S. Senate
Washington, DC 20510

Representative James Inhofe
442 Cannon HOB
Washington, DC 20510

Representative Mike Synar
House of Representatives
Washington, DC 20510

EX PARTE OR LATE FILED

SENATOR BOREN
WASHINGTON, D.C.

00 FEB 16 PM 5:18

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Senator David Boren
U.S. Senate
Washington, DC 20510

MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Senator Nickles:

It has come to my attention that the FCC is making a proposal to replace Part 90 with a new Part 88. It is my understanding that Part 90 allows for 10 khz spaces between the frequencies used in radio controllers, whereas Part 88 would allow mobile phone users within 2.5 khz of the frequencies used in radio controllers. This concerns me because my husband and I race radio controlled cars.

If this proposal should be passed, the equipment we now own would be incapable of controlling our cars should someone in the surrounding areas with a phone on a frequency close to the frequencies of our controllers make a phone call. Not only would this take the excitement and competitive edge out of racing, it would result in wrecks which could damage our cars. Fortunately the cars are already on the ground, but should that phone call interfere with an airplane or helicopter controller there would be an uncontrollable aircraft speeding toward the ground. The danger in that instance would not be limited to damage to the aircraft (which cost hundreds of dollars), but as the aircraft may fly in excess of 80 mph and weigh up to 55 lbs., there would be great potential for property damage and personal injury.

I would also like for you to consider that if you make this change, we, and thousands of others, would be forced to purchase new equipment in order to continue enjoying our hobbies. My husband and I have already spent a minimum of 1,500 dollars and we now have all the equipment we need to race. The estimated cost of the improved controllers which we would have to purchase is between 300 and 600 dollars each. Those prices would force us, and hundreds of others to discontinue racing; a hobby which we have grown to love.

So I ask you to please consider the conditions you would put on the R/C Hobby industry and the costs you would force on the R/C enthusiasts, then reconsider your proposal.

A response from you or your office as to how you voted on this proposal is requested.

Thank You,

Mrs. J. B. Cochran

EX PARTE OR LATE FILED



Oklahoma State University

SCHOOL OF ARCHITECTURE

SENATOR BOREN
WASHINGTON, D.C.

00 FEB 16 PM 2:31

101 ARCHITECTURE BUILDING
STILLWATER, OKLAHOMA 74078-0185
405-744-6043
FAX: 405-744-6491

February 8, 1993

RECEIVED

MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable David L. Boren
United States Senate
Russell Building, Suite 453
Washington, D.C. 20510

Dear Senator Boren:

I am an avid and long-time hobbyist in radio controlled model airplanes, and active as an RC flier. This is not a minor expense hobby for those of us involved, nor is it a hobby that does not infringe on the public domain. Please read this and understand the scope of this issue, and vote to retain the 72 to 76 MHz frequencies for use by the thousands of hobbyists such as myself.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use, and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidth and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted, causing us all to undergo extreme expense and for some, young and old, the loss of their ability to be involved in a very positive activity.

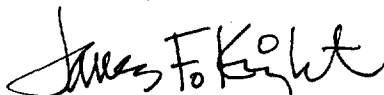
When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders, and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished, as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are very expensive to build (over \$1,000 for many); but more to the point, they are capable of causing property damage, serious injury, or even death, if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies, in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself, and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by now allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

A handwritten signature in cursive script that reads "James F. Knight". The signature is written in dark ink and is positioned above the printed name.

James F. Knight, AIA
Professor and Head

JFK/psw